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16 Attorneys for Defendant
17 CHARLES W. McCALL

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA

20 UNITED STATES OF AMERICA,

21 Plaintiff,

22 v.

23 CHARLES W. McCALL and JAY M.
24 LAPINE,

25 Defendants.

Case No.: CR-00-0505-MJJ

**STIPULATION AND [PROPOSED]
ORDER GRANTING DEFENDANT
CHARLES W. MCCALL'S
UNOPPOSED MOTION FOR
ADMINISTRATIVE RELIEF TO
EXCEED PAGE LIMIT FOR
MOTION FOR JUDGMENT OF
ACQUITTAL**

The Honorable Martin J. Jenkins
Date: April 12, 2007
Time: 2:00 p.m.
Courtroom 11, Nineteenth Floor

1 The United States and defendants Charles W. McCall and Jay M. Lapine, through
2 their respective counsel, stipulate and agree as follows:

3 **RECITALS**

4 1. On June 3, 2003, Defendant Charles W. McCall was charged in seven counts
5 of a Second Superseding Indictment. Trial on these charges began on September 11, 2006.
6 On November 3, 2006, the jury returned a verdict acquitting Mr. McCall of Count One of
7 the Indictment (conspiracy to commit securities fraud). The jury also informed the Court it
8 was unable to reach a verdict as to the remaining counts of the Indictment, and a mistrial
9 was declared as to those counts.

10 2. On November 14, 2006, this Court approved a stipulation allowing Mr.
11 McCall to file a motion pursuant to Rule 29 of the Federal Rules of Criminal Procedure on
12 or before December 22, 2006. On December 21, that deadline was extended to February 2,
13 2007.

14 3. Criminal Local Rule 47-2(b) and Civil Local Rule 7-2(b) establish a 25-page
15 limit for noticed motions in a criminal case. These rules apply to Mr. McCall's Motion for
16 Judgment of Acquittal brought pursuant to Fed. R. Crim. P. 29.

17 4. The parties agree that the length and complexity of the above-mentioned trial
18 and the factual and legal issues raised in Mr. McCall's Motion for Judgment of Acquittal
19 warrant additional attention beyond the page limit set forth in the local rules.

20 5. Counsel for the United States and Mr. Lapine do not oppose Mr. McCall's
21 motion for administrative relief and agree that, with the Court's permission, Mr. McCall
22 should be allowed to exceed the 25-page limit by four pages in his Motion for Judgment of
23 Acquittal.

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STIPULATION

Based on the foregoing, IT IS HEREBY STIPULATED AND AGREED that Mr. McCall's Unopposed Motion for Administrative Relief should be granted to allow him to exceed the page limit for his Motion for Judgment of Acquittal. Mr. McCall, with the Court's permission, shall be allowed to exceed the page limit by no more than four (4) pages.

IT IS SO STIPULATED AND AGREED.

DATED: February 2, 2007

Respectfully submitted,

PAUL, WEISS, RIFKIND, WHARTON, &
GARRISON LLP

HELLER EHRMAN LLP

By Michael J. Shepard /ms/
Michael J. Shepard

Attorneys for Defendant
CHARLES W. MCCALL

DATED: February 2, 2007

UNITED STATES OF AMERICA

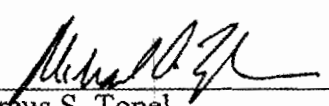
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Attorneys for the United States

1 DATED: February 2, 2007

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2
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7 Attorneys for Defendant
8 JAY M. LAPINE

9 Pursuant to the foregoing stipulation, IT IS SO ORDERED.

10
11 DATED: February 12, 2007


THE HONORABLE MARTIN J. JENKINS
United States District Judge